

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 22, 2009

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman,
Deputy Clerk.

Each of the following:

B208475 DCFS v. Jeannine E.
B197760 People v. Murphy
B205292 People v. Kirakosian
B201290 People v. Navarro et al.
B204808 People v. Terrones
B203866 People v. Delmark
B206146 People v. Foster
B206631 People v. Trone
B200452 People v. Johnson

Argument waived, cause submitted.

B205057 Colachis
 v.
 Salazar et al.

Merits:

Argued by Nicholas Colachis for appellant and by Howard Fields for
respondents. Cause submitted.

DIVISION TWO, (continued)

B207780 Payne
 v.
 County of Los Angeles, et al.

Merits:
Argued by Derick Payne for appellant and by Barry Zoller and Douglas Fee for respondents. Cause submitted.

B203618 People
 v.
 Davila and Juarez

Merits:
Argued by Thomas Ono and Cheryl Barnes Johnson for appellants and by Margaret Maxwell, Deputy Attorney General for respondent. Cause submitted.

B203915 Rosenblatt
 v.
 Davis

Merits:
Argued by Edwin McPherson for appellant and by Louis Abronson for respondent. Cause submitted.

B204000 JDID
 v.
 Bank of America

Merits:
Argued by Peter Salomone for respondent and no appearance by Mohammad Nadim for appellant. Cause submitted.

Court recessed.

DIVISION TWO (continued)

Court reconvened at 11:00 a.m.

Present: Doi Todd, Acting P.J., Ashmann-Gerst, J., Flier, J. (Assigned) and Jim Guzman, Deputy Clerk.

B205880 Wallace et al.
 v.
 Coldwell Banker Residential Brokerage Co. et al.

Merits:
Argued by Carlos Yguico for appellants and by David Dorenfeld and
Lawrence Ecoff for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman, Deputy Clerk.

B206521 Wong
 v.
 Lee & Associates Commercial Real Estate Services Inc.

Merits:
Argued by James Arden for appellant and by Jacqueline Brown for
respondent. Cause submitted.

B210631 Donald
 v.
 Superior Court, Los Angeles County
 (City of Los Angeles Police Dept. et al., r.p.i.)

Merits:
Argued by Mark Harvis for petitioner and by Kjehl Johansen for real parties
in interest. Cause submitted.

DIVISION TWO (continued)

B199682 People
 v.
 Zanoletti, et al.

Merits:
Argued by Danalynn Pritz and Allison Ting for appellants and by Marc Kohn, Deputy Attorney General for respondent. Cause submitted.

B202455 Gaitan
 v.
 Powell

Merits:
Argued by Gloria Powell for appellant and by Michael Gilligan for respondent. Cause submitted.

Chavez, J. leaves bench.

B202458 Meraz
 v.
 Tredway, Lumsdaine & Doyle et al.

Merits:
Argued by Lori Hershorin for respondent and by Kenneth Feldman for appellants. Cause submitted.

B202459 St. Germain et al.
 v.
 Tredway, Lumsdaine & Doyle et al.

Merits:
Argued by Kenneth Feldman for appellants and by Paul White for respondents. Cause submitted.

DIVISION TWO (continued)

B207421 Man Kee Kwok et al.
v.
Transnation Title Insurance Co.

Merits:
Argued by Betty Levine for appellants and by Ryan Squire for respondent.
Cause submitted.

Boren, P.J. leaves bench.

Chavez, J. assumes the bench.

B199435 Bressler
v.
City of Los Angeles

Merits:
Argued by Paul Winnemore for appellant and by Robert Kitson for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B194209 Lu (Certified for Publication)
v.
Hawaiian Gardens Casino, Inc., et al.

The UCL cause of action premised on a violation of Labor Code section 351 is reversed. In all other respects, the judgment is affirmed. Each party to bear its own costs on appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION THREE (continued)

B211141 Anthony L. Tarkington (Not for Publication)

v.
Superior Court, Los Angeles County
(The People, r.p.i.)

The order to show cause is discharged. The petition for writ of
mandamus/prohibition is denied.

Aldrich, J.

We concur: Klein, P.J.
 Croskey, J.

B207870 People (Not for Publication)

v.
Mark Anthony Taravella

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B203188 People (Not for Publication)

v.
Elman Stanley Trujillo

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION THREE (continued)

B210599 Los Angeles County, D.C.F.S. (Not for Publication)
v.
M.G.

The order terminating parental rights is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B202838 Deleon
v.
Verizon Wireless

Filed order certifying opinion for publication.

DIVISION FIVE

B203825 People (Not for Publication)
v.
Nery Quintanilla

The judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
Mosk, J.

January 22, 2009 (Continued)

DIVISION FIVE (continued)

B206503 Floran Frank, Individually and as Trustee etc., et al., (Not for Publication)
v.
Mary L. Lepper, Individually and as Trustee etc., et al.,

The February 22, 2008 order is affirmed. Plaintiffs, Floran Frank, individually and as Trustee of The Trust of Floran Frank Dated January 10, 1997, and Carol Frank, are to recover their costs on appeal from defendants, Mary L. and William F. Lepper.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B207979 People (Certified for Publication)
v.
Rolando Sardinas

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

B207587 People (Not for Publication)
v.
Gimbel

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SIX (continued)

B207765 Windglows (Not for Publication)
 v.
 Morgan

The order is affirmed. The parties shall bear their own costs on appeal.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B206415 People (Not for Publication)
 v.
 Rizzo

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

B204996 People (Not for Publication)
 v.
 Parris

The judgment (order revoking probation) is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

January 22, 2009 (Continued)

DIVISION SIX (continued)

B204183 People (Not for Publication)
v.
Arena

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

B205941 People v. Myers (Certified for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

Each of the following:

B204996 People v. Parris
B204183 People v. Arena
B206415 People v. Rizzo

Filed order granting rehearing.

DIVISION EIGHT

B203185 People v. Dixon (Not for Publication)

The abstract of judgment is modified to reflect a term of 44 years to life, as follows: life with the possibility of parole for the attempted murder, with Dixon eligible for parole only after serving 14 years, with consecutive terms of 25 to life under section 12022.53, subdivision (d) and 5 years under section 667, subdivision (a)(1). The clerk of the superior court is directed to modify the abstract accordingly and forward a corrected copy to the department of corrections. In all other respects, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Bigelow, J.
O'Neill, J. (Assigned)

B203231 People (Not for Publication)
v.
Sfera

For the reasons set forth above, the judgment is reversed as to only the conviction for petty theft with a prior conviction under section 666. Upon remand, the clerk of the superior court is directed to amend the abstract of judgment accordingly and forward a copy of the corrected abstract of the Department of Corrections. In all other respects, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
O'Neill, J. (Assigned)